

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

**MARCUS BENJI FREEMAN**

**VS.**

**CIVIL ACTION NO. 2:15cv31-KS-MTP**

**SUPERINTENDENT BYRD UNKNOWN**

**ORDER ADOPTING REPORT AND RECOMMENDATION**

This cause came on this date to be heard upon the Report and Recommendation of the United States Magistrate Judge entered herein on November 12, 2015, after referral of hearing by this Court, no objections having been filed as to the Report and Recommendation, and the Court, having fully reviewed the same as well as the record in this matter, and being duly advised in the premises, finds that said Report and Recommendation should be adopted as the opinion of this Court.

IT IS, THEREFORE, ORDERED that the Report and Recommendation be, and the same hereby is, adopted as the finding of this Court, and the Complaint is hereby dismissed with prejudice. A separate judgment will be entered herein in accordance with this Order as required by Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED, this the 11<sup>th</sup> day of December, 2015.

*s/Keith Starrett*  
UNITED STATES DISTRICT JUDGE